

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MS. S. HAYES <i>and</i> JOEL MARRERO,)	
)	
Plaintiffs,)	Civil Action No. 22-330E
)	
v.)	District Judge Arthur J. Schwab
)	Magistrate Judge Maureen P. Kelly
FACILITY MANAGER MORRIS HOUSER,)	
LT KAUFFMAN,)	Re: ECF No. 3
DEPUTY SUP. BRADLEY BOOHER,)	
JENNIFER ROSSMAN, <i>PREA/PAL STAFF</i> ,)	
CHICA BOLAND, <i>HEALTH CARE ADMIN.</i> ,)	
DR. KOLLMAN, <i>SITE MED DIRECTOR</i> ,)	
CHCA ARDERY, <i>HEALTH CARE ADMIN.</i> ,)	
DR. DANCHA, <i>REGIONAL MED DIR.</i> , <i>and</i>)	
JOHN/JANE DOE,)	
)	
Defendants.)	

MEMORANDUM ORDER

Ms. S. Hayes (“Plaintiff Hayes”)¹ and Joel Marrero (“Plaintiff Marrero”) are state prisoners respectively incarcerated at the State Correctional Institution at Albion (“SCI-Albion”), located in Albion, Pennsylvania, and the State Correctional Institution at Houtzdale (“SCI-Houtzdale”) in Houtzdale, Pennsylvania.

This matter was initiated on October 28, 2022 with the submission of the Complaint by Plaintiff Hayes. ECF Nos. 2-1 and 2-3. The Complaint was accompanied by a motion of leave to proceed *in forma pauperis*, also submitted by Plaintiff Hayes. ECF No. 2.

On November 10, 2022, United States Magistrate Judge Maureen P. Kelly recommended that this case be transferred to the United States District Court for the Middle District of

¹ Plaintiff Hayes refers to herself as “Ms. S. Hayes” in the Complaint, and this Court will use her preferred name for the purposes of the Report and Recommendation. However, this Order will be served on Plaintiff Hayes under her commit name with the Department of Corrections. This is to ensure that the Order is delivered to her by prison staff.

Pennsylvania because all of the alleged acts and omissions recited in the Complaint occurred within the confines of that judicial district. ECF No. 3 at 3. The Magistrate Judge further recommended that the issues of the filing fee and whether either Plaintiff qualified for leave to proceed IFP be left to the transferee court. Id.

The deadline for Plaintiffs to file objections was November 28, 2022. As of the date of this Order, no objections have been filed by either Plaintiff.

After *de novo* review of the pleadings and documents in the case, together with the Compliant, ECF No. 2-1, and the Report and Recommendation, ECF No. 3, the following Order is entered:

AND NOW, this 5th day of December, 2022,

IT IS HEREBY ORDERED that this case be transferred forthwith to the United States District Court for the Middle District of Pennsylvania.

IT IS FURTHER ORDERED that the Magistrate Judge's Report and Recommendation, ECF No. 3, as it is supplemented by this Order, is adopted as the Opinion of this Court.

BY THE COURT:

s/Arthur J. Schwab
ARTHUR J. SCHWAB
UNITED STATES DISTRICT JUDGE

cc: The Honorable Maureen P. Kelly
United States Magistrate Judge

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